



Practitioner's Docket No. 1956/116

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#1371
PATENT
RMB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David Zeryck, Dave Harvey and Jeffrey Lucovsky

Application No.: 09/375,331

Group No.: 2126

Filed: 08/17/1999

Examiner: Hoang, P.

For: Computer Architecture Utilizing Layered Device Drivers

RECEIVED 9-15-03

SEP 10 2003

Technology Center 2100

**RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP
2126**

**Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

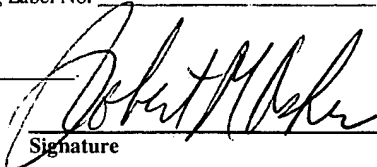
37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____


Signature

Date: September 5, 2003

Robert M. Asher

(type or print name of person certifying)

** Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

09/09/2003 MDAHTE1 00000017 194972 09375331
Sale Ref: 00008032 DHH: 194972 09375331
01 FC12201 84.00 DA

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit Fee
Total	15	Minus	20	= 0	x \$18 =	\$0
Indep	4	Minus	3	= 1	x \$84 =	\$84
First Presentation of Multiple Dependent Claim					+ \$280 =	\$0
					Total Addit. Fee	<u>\$84</u>

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,
** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
*** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

Total additional fee for claims required \$84.00

FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$84.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

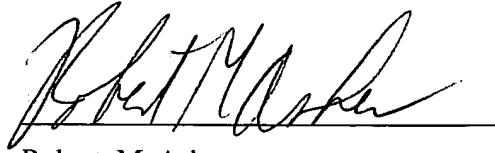
FEE DEFICIENCY

6.

If any additional extension and/or fee is required, charge Account No. 19-4972.

If any additional fee for claims is required, charge Account No. 19-4972.

Date: September 5, 2003



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RMA:vel

The Commissioner for Patents has received from Bromberg & Sunstein LLP the following re:

Inventor: Zeryck et al. Docket No.: 1956/116
Title: Computer Architecture Utilizing Art Unit: 2126
Layered Devices Examiner: Hoang, P.
Serial/Patent No.: 09/375,331 Date: September 5, 2003
Filing/Issue Date: August 17, 1999 Express Mail No.:

Documents:

☐ New Application Transmittal
☐ Provisional Application Cover Sheet
☐ Description- pages
☐ Claims- pages
☐ Abstract
☐ Application Data Sheet
☐ Request and Certification under 35 USC 122(b)(2)(B)(i)
☐ sheets of drawings
☐ formal ☐ informal
☐ Declaration & Power of Attorney
☐ executed ☐ unexecuted

☒ Amendment Transmittal
☐ Amendment (Preliminary)
☒ Response to final office action
☐ IDS & References
☐ Petition for month extension
☐ Issue Fee Transmittal & Form PTOL-85b
☐ Payment of Maintenance Fee
☐ Assignment/Recordation Form Cover Sheet
☐ Check in the amount of \$
☐ Completion of Filing Requirements
☐ Transmittal of Formal Drawings
☒ Authorization to charge \$84 to deposit account